MEDICAL LICENSING BOARD OF INDIANA

INDIANA GOVERNMENT CENTER SOUTH 402 WEST WASHINGTON STREET ROOM W064 INDIANAPOLIS, INDIANA 46204

MINUTES OF JANUARY 26, 2006

N. Stacy Lankford, M.D., President called the meeting to order at 10:00 a.m. and declared a quorum in accordance with IC 25-22.5.

Members Present:

N. Stacy Lankford, M.D., President

Barbara Malone, J.D., Consumer Member,

Secretary

Ralph Stewart, M.D. Richard Krejsa, D.O.

Worthe Holt, Jr., M.D., Vice President

Bharat Barai, M.D.

Members Absent:

William H. Beeson, M.D.

Staff Present:

Michael Rinebold, Board Director Professional Licensing Agency Donna Moran, Case Manager Professional Licensing Agency

James Schmitt, Deputy Attorney General

Office of the Attorney General

The Board voted to adopt the agenda and addendum as amended.

Stewart/Krejsa, 5/0/0

The Board voted to adopt the minutes of the December 1, 2005 meeting.

Stewart/Krejsa, 5/0/0

PROBATIONARY APPEARANCES

(Before one member of the Board only)

The physicians listed below, appeared per their order and no other issues arose during the probationary appearance:

Mauro Agnelneri, M.D. Sally Booth, M.D. Glenn Ballengee, D.O. Adam Cline, DC, LAC Thomas Gellersen, M.D. Kevin Smith, P.A. Stephanie Sharpe, M.D. Arnaldo Trabucco, M.D. Timothy Pohlman, M.D.
Deborah Provisior, M.D.
Stephen Matthew, M.D.
Deborah Redd, M.D.
Kevin McCallum, M.D.
Nancy Noel, M.D.
Steven Stoller, M.D.

Jeffrey Seizys, M.D. – Dr. Seizys' will start quarterly personal appearances from today's appearance.

PERSONAL APPEARANCES

Robert Carida, M.D., Initial Application – Dr. Cardia did not appear. The personal appearance will be reset for February 2006.

<u>Matthew Cohen, D.O., Initial Application</u> – Dr. Cohen appeared before the Board regarding a positive response on his initial application. Dr. Cohen was diagnosed with Adult Attention Deficit Disorder and voluntarily took a leave of absence from the Hospital. He is licensed in Alaska. He has applied for a fellowship in Surgery, Laparoscopy, Endoscopy and Ultrasound with Dr. Maurice E. Arregui at St. Vincent Hospital. After discussion the Board moved to ISSUE Dr. Cohen a license and controlled substances certificate for a one year period.

Holt/Lankford, 6/0/0

<u>Daniel Ohene Donkor, M.D., Initial Application</u> – Dr. Donkor appeared before the Board regarding a positive response on his initial application. After discussion the Board moved to APPROVE for licensure.

Holt/Kreisa, 6/0/0

<u>Miles Erickson, M.D., Initial Application</u> – Dr. Erickson appeared before the Board regarding a positive response on his initial application. Dr. Erickson explained that he had been employed for twenty-nine (29) years with the VA Hospital. He indicated that in 1985 they began dismissing senior staff. The VA hospital stated that Dr. Erickson's records were not kept up to date. There are no other complaints that he know of in any other states. He is licensed in MI, MS, and OH. After discussion the Board moved to APPROVE for licensure.

Holt/Stewart, 6/0/0

Edward David Lanigan, M.D., Initial Application – This matter was CONTINUED.

Holt/Stewart, 6/0/0

Nico Mousdicas, M.D., Initial Application – Dr. Mousdicas appeared before the Board now that he had completed the required post graduation requirements from the Indiana University School of Medicine. After discussion the Board moved to APPROVE for licensure.

Stewart/Holt, 6/0/0

<u>Parasiva M. Satish, M.D., Initial Application</u> – The Board received a letter from Dr. Satish requesting to withdraw his application for licensure. The Board moved to ACCEPT his withdrawal request.

Stewart/Holt, 6/0/0

<u>Tushar N. Shah, M.D., Initial Application</u> – Dr. Shah appeared before the Board regarding a positive response on his initial application. After discussion the Board moved to APPROVE for licensure.

Lankford/Stewart, 6/0/0

<u>Mark Jeffrey Slepin, M.D., Initial Application</u> – Dr. Slepin did not appear. The personal appearance will be rescheduled for February 2006.

<u>Louis A. Yancich, D.O., Initial Application</u> – Dr. Yancich appeared before the Board regarding a positive response on his initial application. North Carolina Board did not take any formal action on Dr. Yancich's license. The North Carolina consumer complaints are closed with no other information available. After discussion the Board moved to APPROVE for licensure.

Krejsa/Stewart, 6/0/0

<u>Gregory Scott Masimore, M.D., Renewal Application</u> – Dr. Masimore appeared before the Board regarding a positive response on his renewal application. The Board requested that Dr. Masimore contact Candace Backer with ISMA. After discussion the Board moved to TABLE this matter until February 2006.

Barai/Holt, 6/0/0

Let the record reflect that Ms. Malone left the meeting for a court hearing.

<u>Wilbert Streeter, D.O., Renewal Application</u> – Dr. Streeter appeared before the Board and was represented by Counsel regarding a positive response on his renewal application. After discussion the Board moved to TABLE this matter.

Stewart/Krejsa, 5/0/0

ADMINISTRATIVE HEARINGS

Francis William Price, Jr., M.D., License No. 01027850A, Cause No. 2005 MLB 0037 Respondent appeared before the Board and was represented by Sherry Fabina-Abney regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement included a FINE of \$1,000. After having considered the evidence presented and taking official notice of its file in this matter the Board moved APPROVE the agreement.

Barai/Stewart, 4/0/1, with Dr. Krejsa abstaining

Subu Dubey, M.D., License No. 01039971A, Cause No. 2004 MLB 0045

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and Linda Batten, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Stewart/Kerjsa, 4/0/0 (Dr. Barai was not in attendance)

John Walter Bulger, M.D., License No. 01034598A, Cause No. 2005 MLB 0022

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Mr. Douglas informed the Board that the Respondent had contacted him letting him know that he has obtained new counsel and they are not ready for the hearing. They are requesting a continuance. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Stewart/Krejsa, 4/0/0 (Dr. Barai was not in attendance)

Steven G. Parent, S.H.A.D., License No. 40001450A, Cause No. 2004 MLB 0032

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Daniel Cavallini, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Stewart/Barai, 4/0/0 (Dr. Krejsa was not in attendance)

Spurgeon Green, M.D., License No. 01037993A, Cause No. 2004 MLB 0004
Respondent did not appear in person and was not represented by counsel regarding an Agreement scheduled before the Board. The State of Indiana was represented by Patrick McCool, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Patrick McCool, Deputy Attorney General. The agreement included INDEFINITE SUMMARY SUSPENSION. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Barai/Holt, 4/0/0 (Dr. Krejsa was not in attendance)

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Stewart/Holt, 4/0/0 (Dr. Krejsa was not in attendance)

Michael Robert Swenson, M.D., License No. 01047860A, Cause No. 2005 MLB 0044
Respondent did not appear in person and was not represented by counsel regarding a
Renewal of Summary Suspension scheduled before the Board. The State of Indiana
was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter
sworn in for this matter was Peggy McNamara. An agreement between the Respondent
and the Attorney General's Office was presented to the Board by Elizabeth Kiefner,
Deputy Attorney General. The agreement included RENEWAL of the SUMMARY
SUSPENSION. After having considered the evidence presented and taking official
notice of its file in this matter the Board moved to ACCEPT the agreement.

Stewart/Barai, 4/0/1, with Dr. Krejsa abstaining

Douglas P. Bosack, M.D., License No. 01059562A, Cause No. 2004 MLB 0026
Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. This action was brought forward by the Board against the Respondent in the form of an Order to Show Cause. The court reporter sworn in for this matter was Peggy McNamara. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Stewart/Barai, 4/0/1, with Dr. Krejsa abstaining

<u>Diane Elizabeth Elrod, M.D., License No. 02001479A, Cause No. 2005 MLB 0041</u> Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Elizabeth Kiefner, Deputy Attorney General. The agreement included INFEFINITE PROBATION for the length on his ISMA contract, a \$500.00 fine and a LETTER OF REPRIMAND. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Barai/Stewart, 5/0/0

Vishwanath S. Gundur, M.D., License No. 01043877A, Cause No. 2003 MLB 0005

Respondent did appear in person and was not represented by counsel regarding a Renewal of Summary Suspension and Order to Show Cause scheduled before the Board. The State of Indiana was represented by Daniel Cavallini, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Dr. Gundar stated that he has been in contact with Candace Backer at ISMA regarding his DUI. He informed the Board that he was admitted to Rush on July 7, 2005 and discharged on September 8, 2005. On September 9, 2004 Dr. Gundar was in two automobile accidents within a few minutes of each other. His license has been disciplined in the State of Illinois. On April 30, 2005 Dr. Gundur was arrested for a DUI after hitting two Police cars. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to place the Respondent's license on INFEFINITE SUSPENSION.

Barai/Holt, 4/0/1, with Dr. Krejsa abstaining

Let the record reflect that Barbara Malone rejoined the meeting.

Eric H. Keahey, M.D., License No. 01056112A, Cause No. 2003 MLB 0036

Respondent did not appear in person and was not represented by counsel regarding a Motion to Dismiss scheduled before the Board. The State of Indiana was represented by Patrick McCool, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Mr. McCool informed the Board that since the complaint was filed in 2003 there has been a letter of support submitted in behalf of Dr. Keahey. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DISMISS this matter.

Stewart/Kreisa, 6/0/0

<u> Jiade Jay Lu, M.D., License No. 01049669A, Cause No. 2004 MLB 0024</u>

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Daniel Cavallini, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Daniel Cavallini, Deputy Attorney General. The agreement included INDEFINITE PROBATION with terms and conditions. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the agreement.

Malone/Stewart, 6/0/0

Thomas Eyrich, D.C., Cause No. 2005 MLB 0061

Respondent did appear in person and was represented by Greg Hahn concerning an Appeal of Denial scheduled before the Board. The court reporter sworn in for this matter was Peggy McNamara. Previously the Board had denied Dr. Eyrich's acupuncturists application. Dr. Eyrich served two (2) years in Prison for insurance fraud. His Chiropractic license was revoked in CA and his Indiana license was placed on Probation. He currently has an unencumbered Chiropractic license in Indiana. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE for licensure.

Stewart/Holt, 4/1/1, with Ms. Malone objecting and Dr. Krejsa abstaining

Marvin E. Gold, M.D., License No. 01018654A, Cause No. 2005 MLB 0026

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Criminal charges are pending and Dr. Gold's attorney has requested he not speak about this matter until the criminal trial is complete. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Kreisa/Stewart, 6/0/0

Christ Pete Koulis, M.D., License No. 01042036A, Cause No. 2005 MLB 0031

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Dr. Koulis is currently incarcerated in the State of Tennessee for Manslaughter. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Stewart/Barai, 6/0/0

Ajaz Igbal, M.D., License No. 01056015A, Cause No. 2004 MLB 0023

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Ms. Kiefner requested a continuance in this matter until March 2006. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter until March 2006.

CONSENSUS

Henry R. Sanchez-Leal, M.D., License No. 01042377A, Cause No. 2005 MLB 0060
Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement included a LETTER OF REPRIMAND. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Stewart/Holt, 6/0/0

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension and Order to Show Cause scheduled before the Board. The court reporter sworn in for this matter was Peggy McNamara. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Lankford/Kerjsa, 6/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Lankford/Holt, 6/0/0

Gerald Gene Gray, D.O., License No. 02000256A, Cause No. 2005 MLB 0018
Respondent did not appear in person and was not represented by counsel regarding an Agreement for Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented Daniel Cavallini, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Daniel Cavallini, Deputy Attorney General. The agreement includes INDEFINITE SUMMARY SUSPENSION until the conclusion of the criminal charges. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Lankford/Stewart, 6/0/0

Derek L. Tennenhouse, M.D., License No. 01056104A, Cause No. 2005 MLB 0032
Respondent did not appear in person and was not represented by counsel regarding an Agreement for Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Daniel Cavallini, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board by Daniel Cavallini, Deputy Attorney General. The agreement included RENEWAL of the SUMMARY SUSPENSION until the February 23, 2005 meeting. After

having considered the evidence presented and taking official notice of its file in this matter the Board moved to ACCEPT the agreement.

Lankford/Stewart, 6/0/0

James Douglas Morrison, M.D., License No. 01020837A, Cause No. 2005 MLB 0047 Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Dr. Morrison molested his Grandchild. He surrendered his license in Arizona. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Barai/Krejsa, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION. This motion was not seconded. After further discussion the Board moved to REVOKE the Respondent's license.

Malone/Holt, 6/0/0

Gustavo M. Okrassa, M.D., License No. 01057738A, Cause No. 2004 MLB 0006
Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Dr. Okrassa is currently in South America. When he applied for an Indiana license he did not disclose that on June 17,2003 his Massachusetts license was suspended. After having considered the evidence presented and taking official notice of its file in this matter the Board moved hold the Respondent's license in DEFAULT.

Lankford/Stewart, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION.

Barai/Stewart, 5/0/1, with Ms. Malone abstaining

Rafik M. Hanna, M.D., License No. 01055365A, Cause No. 2005 MLB 0050

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Dr. Hanna's medical license in the State of Washington has been suspended for owing approximately \$74,000 in child support. After having considered the evidence presented and taking official notice of its file in this matter the Board moved hold the Respondent's license in DEFAULT.

Stewart/Holt, 6/0/0

The Board further moved to place the Respondent's license on INDEFINITE SUSPENSION.

Holt/Malone, 4/1/1, with Dr. Stewart objecting and Dr. Lankford abstaining

Paul F. Hooker, Jr., H.A.D., License No. 17000436A, Cause No. 2005 MLB 0049
Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Daniel Cavallini, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Mr. Hooker's Indiana Speech Pathology and Audiology licenses have been revoked. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Holt/Lankford, 6/0/0

The Board further moved to REVOKE the Respondent's license.

Stewart/Barai, 6/0/0

Kirk Deeb Morgan, M.D., License No. 01038339A, Cause No. 90 MLB 0018

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Patrick McCool, Deputy Attorney General and the court reporter sworn in for this matter was Peggy McNamara. Dr. Morgan filed a timely response to the Notice of Proposed Default requesting the Board to not take any action until the matter in Kentucky is settled. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to NOT hold the Respondent's license in DEFAULT and requested that this matter be reset for a hearing.

Lankford/Holt, 6/0/0

ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS

The Board approved the following ALJ recommendation.

Rebecca Sutton, M.D., Cause No 2005 MLB 0036 – Request to withdrawal initial application.

DISCUSSION

<u>Sergio Pisterman, M.D., License No. 01028747 – Petition to Surrender License</u> – Dr. Pisterman sent the Board a letter requesting to surrender his Indiana license. After discussion the Board moved to ACCEPT the SURRENDER.

Krejsa/Holt, 6/0/0

Rule adoption of the Control of Pain through the prescribing of Controlled Substances. The Board considered the revised LSA Document #05-91 for adoption. Comments from interested parties were presented before the Board. After hearing the comments from the interested parties Dr. Holt moved to table the decision until the February Board meeting to allow for additional discussion concerning the rule. The motion failed as the vote was 3 for (Holt, Barai, Krejsa) to 3 against (Stewart, Lankford, Malone) after further discussion Dr. Lankford moved for the Board to adopt the rule and this motion failed as well with the same vote count as previously stated. The discussion ended with the Board understanding that this item will be discussed again at the February meeting.

REVIEW OF INITIAL APPLICATIONS

The Board reviewed the positive response information on the following applicants and approved them for issuance:

Faisal Ahmed, M.D.
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Khawaja Baig, M.D.
Richard Kerstine, M.D.
Ronald Lind, M.D.
Dennis Raleigh, M.D.
Daniel Saviano, M.D.

Jeff Alman, M.D. Aladdin Hassanein, M.D. Thomas Kelly, M.D. Tricia Nguyen, M.D. Mary Refermat, M.D. Robert Shaw Jr., M.D.

Kenneth Austin, M.D. Mary Holden, M.D. Charles King, M.D. Ronald Payne, M.D. Narendra Patel, M.D. William Watson, M.D.

Stewart/Lankford, 6/0/0

The Board reviewed the positive response information on the following applicants and requested that they personally appear before the Board:

Adeeb Alshahrour, M.D.
Rashida Loya, M.D.
Kenneth Richmond, M.D.

Thomas Barrett, M.D. George Mosby, M.D.

Bart Brown, M.D. James Photiadis, M.D.

enneth Richmond, M.D. Ali Pitafi, M.D.

Malone/Holt, 6/0/0

The Board reviewed the positive response information on the following applicant and tabled the application for additional information:

Aleksander Skarzynski, M.D.

Mihai Ursachi, M.D.

Krejsa/Malone, 6/0/0

The Board reviewed the positive response information on the following applicant and denied the application for licensure:

James Spoto, M.D. – After reviewing and discussing the information in Dr. Spoto's application file, the Board moved to DENY his application.

Lankford/Stewart, 6/0/0

There being no further business the meeting adjourned at 6:00 p.m.

N. Stacy Lankford, M.D., Prescent Medical Licensing Board of Indiana

Barbara Malone, Secretary

Medical Licensing Board of Indiana